

FILED

Nov 23 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

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SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

United States District Court
Northern District of California

Samuel Lee Gore
Plaintiff

vs

Governor Gavin Newsom
Defendant

Constitutional Tort

Civil Case No. 4:20-cv-08231 KAW

To the Honorable, United States District Court
Northern District of California

I, Samuel Lee Gore, Plaintiff, is unschooled in law, and notices the Court of enunciation of principles as stated in *Haines v. Kerner* 404 U.S. 519, wherein the Court has directed that those who are unschooled in law making pleadings and/or complaints shall have the Court look to the substance of the pleading rather than the form. The Court must accept the complaint as long as the Court can understand what the Plaintiff wants, even if, the Plaintiff does not know all the rules of court, and/or the correct jurisdiction.

Defendant Gavin Newsom is the Governor of the State of California. Governor Gavin Newsom is being sued in this Constitutional Tort in his official capacity.

The supreme executive power of this State is vested in the Governor. The Governor shall see that the law is faithfully executed. (California Constitution Article V Section 1)

The Oath the Governor did solemnly swear to states that Governor Newsom is to support and defend the Constitution of the United States and the Constitution of the State of California. (California Constitution Article xx Section 3)

Article vi of Constitution of United States states, "This Constitution, and the laws of the United States which shall be made in pursuance thereof... shall be the supreme law of the land, and the judges in every state shall be bound thereby,

Any thing in the Constitution or laws of any state to the contrary notwithstanding."

California's Constitution Article III Section 1 acknowledges the State's allegiance to the United States, "The State of California is an inseparable part of the United States of America, and the United States Constitution is the supreme law of the land."

The authors of the United States and California Constitutions specifically used the word "supreme" to establish the United States Constitution as the highest authority. Both Constitutions guarantee due process of the law and equal protection.

(United States Constitution Amendment IV, California Constitution Article I)

The United States Constitution Bill of Rights says, "No person shall be held to answer for a capital, or otherwise infamous crime unless on a presentment or indictment of a Grand

Jury." (Amendment V)

Per the Clerk/Administrator Received - filed ink stamp

02 Jun-4 AM 11:31 Da case no. 2002-00-0027841 was filed as

Felony Complaint Court no. FWV 025432 against the Plaintiff.

This was not a Grand Jury indictment as required by law.

I, Samuel Lee Gore, the Plaintiff, was not indicted by a

Grand Jury violating my due process and equal protection.

The Superior Court of California County of San Bernardino

Rancho Cucamonga District and the District Attorney office

have been given opportunities for administrative remedy

to correct their violation of the Plaintiff's Constitutional

rights. Each time the Superior Court and District Attorney

office were given an opportunity, the Governor was informed

by the Plaintiff.

Governor Gavin Newsom has chosen not to correct the violation thus making him equally responsible for the Constitution's violation. The actions of the Superior Court and District Attorney's office were made in bad faith violating the law, their Oath, and clearly established Constitutional Rights. They are experts, and ignorance of the law is no excuse for government officials. Anyone who was not directly involved, but who, after being notified of this Rights violation fails to correct the violation become equally responsible.

A knowledgeable person of the public doing a textual reading of these Constitutions would find the Plaintiff's reading of the Constitutional laws reasonable.

As a remedy, the Plaintiff requires the resulting conviction void, immediately released from prison and all conditions of post-supervision.

Plaintiff request the U.S. District Court to assess compensatory damages in at least the following amounts:

- A) Lost earnings two million dollars
- B) Loss of private residence and transportation,
four hundred thousand dollars
- C) All court cost

In order to deter such unlawful and unconstitutional activities, the Plaintiff further request punitive damages against the Governor in the amount of eighteen million dollars plus one million dollars for each additional year after filing, and any further relief as the Court may deem just and equitable.

The Plaintiff further declares that the foregoing statements made herein this Constitution Iot are true and correct to my personal knowledge under the penalty of perjury laws of the United States of America.

Dated: 9 November 2020

Signature: 

Printed: Samuel H. Gore

Samuel L. Noe 038004
20-8-511
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P.O. Box 4000
Vacaville, CA 95696-4000

State Prison-Solano

LEGAL MAIL

U.S. District Courthouse
Clerk's Office
450 Golden State Ave., 16 floor
San Francisco, CA 94102

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SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

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